

Christopher M. Von Maack (10468)

vonmaack@mvmlegal.com

MCNEILL | VON MAACK

236 South 300 East

Salt Lake City, Utah 84111

Telephone: 801.823.6464

Attorneys for Third-Party Defendant Ashley Miron Leshem

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

CAPANA SWISS ADVISORS AG, a Swiss corporation; and AMERIMARK AUTOMOTIVE AG, a Swiss corporation,

Plaintiffs,

v.

RYMARK, INC., a Utah corporation; NICHOLAS THAYNE MARKOSIAN, an individual; JOHN KIRKLAND, an individual; and VICKY SMALL, an individual,

Defendants.

RYMARK, INC., a Utah corporation; and NICHOLAS THAYNE MARKOSIAN, an individual,

Counterclaim Plaintiffs,

v.

CAPANA SWISS ADVISORS AG, a Swiss corporation; and AMERIMARK AUTOMOTIVE AG, a Swiss corporation.

Counterclaim Defendants.

STIPULATED MOTION FOR EXTENSION OF TIME FOR THIRD-PARTY DEFENDANT ASHLEY MIRON LESHEM TO RESPOND TO THIRD-PARTY COMPLAINT

Case No. 2:23-cv-00467-TS-CMR

District Judge Ted Stewart

Magistrate Judge Cecilia M. Romero

**RYMARK, INC., a Utah corporation; and
NICHOLAS THAYNE MARKOSIAN, an
individual,**

Third-Party Plaintiffs,

v.

**SHAEN BERNHARDT, an individual;
ASHLEY MIRON LESHEM, an
individual; DAVID HESTERMAN, an
individual; NICOLAI COLSHORN, an
individual; STEFAN KAMMERLANDER,
an individual; ALEXANDER COENEN,
an individual; MARTIN FASSER HEEG,
an individual; AMERIMARK GROUP
AG, a Swiss corporation; and
PHILOMAXCAP AG, a German
corporation,**

Third-Party Defendants.

Third-Party Plaintiffs Rymark, Inc. and Nicolas Thayne Markosian (collectively, “Third-Party Plaintiffs”) and Third-Party Defendant Ashley Miron Leshem (“Leshem”), through their respective counsel of record, hereby stipulate and jointly move the Court to extend the deadline for Leshem to file his response to the Third-Party Complaint (Dkt. 139) to February 27, 2025.

See DUCivR 6-2.

Good cause exists for the requested extension because (1) it is stipulated, (2) this is Leshem’s first request for an extension, (3) this motion is filed before the time originally prescribed expires, and (4) it is for a modest period of time. Accordingly, Third-Party Plaintiffs and Leshem respectfully request that the Court grant this stipulated motion and extend the deadline for Leshem to respond to the Third-Party Complaint to February 27, 2025.

As this motion is stipulated, a proposed order granting the requested extension is attached as Exhibit “1” and concurrently emailed to the Magistrate Judge’s Chambers.

DATED this 11th day of February, 2025.

MCNEILL | VON MAACK

/s/ Christopher M. Von Maack

Christopher M. Von Maack

Attorneys for Third-Party Defendant Ashley Miron Leshem

KUNZLER BEAN & ADAMSON

/s/ Stephen Richards

(Signed with permission via February 11, 2025 email)

Robert P. Harrington

Stephen Richards

Taylor J. Smith

Chad S. Pehrson

*Attorneys for Third-Party Plaintiffs Rymark, Inc. and
Nicholas Thayne Markosian*

CERTIFICATE OF SERVICE

I hereby certify that I am employed by the law firm of MCNEILL VON MAACK, 236 South 300 East, Salt Lake City, Utah 84111, and that, pursuant to Rule 5(b) of the Federal Rules of Civil Procedure, a true and correct copy of the foregoing **STIPULATED MOTION FOR EXTENSION OF TIME FOR THIRD-PARTY DEFENDANT ASHLEY MIRON LESHEM TO RESPOND TO THIRD-PARTY COMPLAINT** was delivered this 11th day of February, 2025, via CM/ECF to all parties and counsel registered to receive email notices of filings.

/s/ Camille Coley
